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December 10, 2015

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Re: Progress Report No. 53 – November 2015
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report (MPR) for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Newtown Creek Group (NCG) Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by NCG Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

1. Actions Taken to Comply with Settlement Agreement during Previous Month

- The draft *Baseline Human Health Risk Assessment* (BHHRA) was submitted via e-mail to USEPA on November 2. On November 5, USEPA responded via e-mail directing the NCG to remove the NewFields dataset from the document and resubmit it. The NCG is currently revising the draft BHHRA as requested and will submit the revised document to USEPA in December.
- A meeting regarding the dispute over fish and crab consumption rates to be used in the draft BHHRA was held with USEPA in New York City on November 4.
- A webinar to discuss project sediment data was held with USEPA on November 5.
- The final *Phase 2 RI Field Program – QAPP/FSAP Deviation Memorandum No. 13* was submitted via e-mail to USEPA on November 9.
- The additional edible portion crab tissue information that was discussed on the November 4 draft BHHRA dispute meeting was requested by USEPA on November 13. This information was provided to USEPA on November 24.
- A webinar was held with USEPA on November 16. Technical topics discussed during this webinar included a groundwater evaluation and point sources sampling update.
- A memorandum summarizing the evaluation of the project geochronology data was provided by USEPA on November 16.
- Approval to abandon the in-creek long-term monitoring wells was provided via e-mail by USEPA on November 17. USEPA requested that the uplands monitoring wells remain in place for future possible monitoring.
- Responses to comments on the October 1 nonaqueous phase liquid (NAPL) presentation were submitted via e-mail to USEPA on November 17.
- Comments on the October 22 ebullition and shoreline erosion presentations were provided via e-mail by USEPA on November 19.
- Comments on the October 22 air presentation were provided via e-mail by USEPA on November 23.
- Comments on the October 22 surface water presentation were provided via e-mail by USEPA on November 24.
- The Phase 2 point sources sampling program was extended to December 21 by USEPA on November 24.
- The period for discussing the disputed fish and crab consumption rates for use in the draft BHHRA was extended by USEPA to December 9 on November 30.

- The following field activities were performed in November:
 - Point sources sampling
 - Wet-weather sampling half start due to less than predicted rainfall (November 10)
 - Wet-weather sampling event (November 19)
 - Whole-water sampling at NCQ-632B, NCB-631, NCQ-029, NCQ-637, Waste Management of NY (WM001), Malu Properties/Former Ditmas Oil/Former Gulf Oil (MP001), and Greenpoint Energy Center (NG001)
 - Whole-water and dissolved/particulate sampling at BB-610
 - Processing of Phase 1 archive cores for NAPL delineation (November 18 – 19)
 - In-creek long-term monitoring wells (NC320, NC056, NC069, EB025, and EK098) were abandoned on November 30
- Phase 2 field program planning and implementation continued in November.

2. Results of Sampling and Tests and Other Data Received by NCG Respondents during Previous Month

- Quality control (QC) review of field data from point sources wet-weather sampling (Events 13 and 14) was completed. The field data for these events are included on the enclosed compact disc (CD) as part of this MPR.
- Validation and QC review of the following data were completed, and these datasets are included on the enclosed CD as part of this MPR:
 - Point sources dry-weather sampling Event 7 (August 25, 2015) and wet-weather Events 9 (August 11, 2015) and 10 (August 21, 2015)
 - Laboratory and validation reports are also included for samples collected at City of New York locations.
- Potentiometric information (i.e., water level information from upland wells) used to produce potentiometric head contours for the November 16 groundwater presentation and December 4 modeling workshop was provided to USEPA on November 9.

3. Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them

- The NCG has repeatedly requested information from the City of New York that is needed to complete the RI/FS. An updated listing of these requests is provided as an attachment to this MPR.

4. Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion

- The revised draft BHHRA is planned for submission in December.
- RI data presentations with USEPA are scheduled for December 4 (baseline) and January 14 (point sources update, geochronology).
- A project update meeting and Modeling Workshop No. 7, both with USEPA, are scheduled for December 4 in New York City. A project update meeting is also scheduled with USEPA in New York City on January 14.
- Continue the Phase 2 field investigation in December (i.e., collection of additional point sources samples).

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: jquadrini@anchorqea.com).

Sincerely,



Jim Quadrini, P.E., BCEE
Anchor QEA, LLC

Attachments

- CD containing field data and validated Phase 2 chemistry data
- An updated New York City Data Request listing

cc: Joseph Battipaglia, USEPA Region 2 Co-Remedial Project Manager
Michael Mintzer, USEPA Region 2 Assistant Regional Counsel
Ian Beilby, NYSDEC, Division of Environmental Remediation
W. David Bridgers, Common Counsel for Newtown Creek Group Respondents
Edward Leonard, CDM Smith

New York City Data Request

Item No.	Date Requested	Information Needed	Information Type (Data, Document, Model)	Status as of 10/9/2015	Reason for Request
1	9/10/2012 ¹	Data from monitored/telemetered combined sewer infrastructure that discharges to Newtown Creek, including NCB-015	Data	<p>Not Provided. NYC indicated that they would provide analysis and data from 12 months of data collection (April 1, 2014 to March 31, 2015) on August 15, 2015 and that other data from previous years would be provided at that time as well.</p> <p>NYC provided an update on July 10, and as a follow up to that call, NCG reiterated their request for the following data:</p> <ol style="list-style-type: none"> 1. Raw CSO flow metering data 2. Processed (“triangulated”) flow metering data used to re-calibrate the point source model <ol style="list-style-type: none"> a. Any additional data (besides raw flow metering data) used to generate the “triangulated” data 3. Detailed description of method used to generate the “triangulated” data 4. Updated geo-neutral point source model <ol style="list-style-type: none"> a. Detailed description of: <ol style="list-style-type: none"> i. Re-calibration procedure and results ii. Changes made to the geo-neutral model as a result of the re-calibration process b. Revised input and output files 	This information is required to evaluate combined sewer discharges to the creek and support the modeling effort.
5	9/10/2012 ¹	<ol style="list-style-type: none"> a. Available CSO/SSO flow monitoring data, along with data used in the modeling for the Long-term Control Plan (including flow data for BB-026 and any additional locations that discharge to Newtown Creek that are available) b. A status update on NYC CSO flow metering program and a detailed schedule for completion of activities and transfer of data 	Data	<ol style="list-style-type: none"> 2. Processed (“triangulated”) flow metering data used to re-calibrate the point source model <ol style="list-style-type: none"> a. Any additional data (besides raw flow metering data) used to generate the “triangulated” data 3. Detailed description of method used to generate the “triangulated” data 4. Updated geo-neutral point source model <ol style="list-style-type: none"> a. Detailed description of: <ol style="list-style-type: none"> i. Re-calibration procedure and results ii. Changes made to the geo-neutral model as a result of the re-calibration process b. Revised input and output files 	This information is required for model calibration—flow data will be used in conjunction with other variables to evaluate hydro model performance. Flow data will also be used to inform the sampling effort and approach.
21	2/19/2015	<p>Records related to groundwater seepage or withdrawals in the Newtown Creek Watershed associated with New York City infrastructure; categories include the following:</p> <ul style="list-style-type: none"> – Dewatering of the subway system – Groundwater seepage into CSOs – Other groundwater dewatering 	Data Document	<p>Partially Provided. NYCDEP provided responses regarding subway and building/utility dewatering and industrial water supply; however, they indicated that they will provide other updates at a later date. NYC also indicated that they were reviewing other reports responsive to the request.</p>	This information is required to support the groundwater evaluation.

New York City Data Request

Notes:

1 = In some cases, the request has been updated to be more specific or include more recent information that became available since the previous request.

BB = Bowery Bay

CSO = combined sewer overflow

NCB = Newtown Creek Brooklyn

NCG = Newtown Creek Group

NYC = New York City

NYCDEP or DEP = New York City Department of Environmental Protection

SSO = sanitary sewer overflow

USEPA = U.S. Environmental Protection Agency